IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.807 OF 2006

M/s Omex Builders & Anr. ...Petitioners.

Versus

Suhasini J. Karbhari & Ors. ...Respondents.

...

WITH

WRIT PETITION NO.808 OF 2006

M/s Omex Builders & Ors. ...Petitioners

Versus

1. Jayant G. Karbhari, since deceased,
2. Smt.Suhasini Jayant Karbhari and ors. ...Respondents.

...

Shri R.K.Yadav for the Petitioners.
Shri R.M. Vasudeo for respondent Nos.2 & 3.

CORAM : S.C.DHARMADHIKARI,J.

DATE : 14th FEBRUARY, 2006.

P.C. :

1. Heard Shri Yadav - learned Counsel appearing for the petitioners. The petitioners are not aggrieved by the order under challenge, save and except, imposing costs of Rs.7000/- for examining two Architects as their witnesses. The application made by the petitioners in that behalf is allowed, but, the costs are quantified at Rs.7000/-. In my view, in the larger interest of justice, the direction to pay costs of Rs.7000/- needs to be interfered with. It is accordingly interfered and the direction stands substituted as under :

. On the petitioners depositing a sum of Rs.2500/- (Rs.Two Thousand Five Hundred Only), condition precedent, they would be allowed to examine the witnesses which are permitted to be examined by the trial Court under the order dated 4th February, 2006.

2. Petition dismissed.

3. Parties to act upon an authenticated copy of this order.

(S.C.DHARMADHIKARI,J.)